

Serial No. 10/501,724
Atty. Doc. No. 2001P22564WOUS

REMARKS

Claims 13-21 and 23-30 are pending in the application. Claims 23-25 are rejected under 35 USC 102 as being anticipated by Sutton, Jr. et al. The patent number of Sutton was incorrect in the office action. It is assumed to be US patent 5,315,234. Claims 13-21 and 26-30 are rejected under 35 USC 103(a) as being unpatentable over Sutton, Jr. et al. Again the patent number is assumed to be US patent 5,315,234.

In the present amendment, claim 20 is combined into claim 13. Claim 20 is cancelled. Claims 24 and 25 are combined into claim 23. Claims 24-25 are cancelled. Claim 30 is combined into claim 28. Claim 30 is cancelled. Thus, claims 13-19, 21, 23, and 26-29 are presented for examination. No new matter has been added, and the subject matter of the claims is not changed by these amendments.

Response to rejections under 35 USC 102(b)

Applicant's base layer 16 formed as a sheet (claim 24) and/or being made of polyimide (claim 25) is not found in the cited lines of Sutton. The present amendment moves these limitations from dependent claims 24-25 to their base claim 23. Therefore, a 35 USC 102 rejection of claim 23 is not supported, and withdrawal of this rejection is respectfully requested.

Response to rejections under 35 USC 103(a)

Regarding claim 13, Sutton shows and describes only arrays of multiple drive coils 26 and multiple sense coils 28 in multiple layers of coils. Applicant's claim 13 now recites a single excitation coil and a single sense coil in a planar form in a single layer. This configuration is shown in Applicant's FIG 2, and is described in paragraph [0028]. Sutton lacks this configuration, and teaches away from it (title, first line of abstract), and therefore does not support a 35 USC 102 or 103 rejection of claim 13 as amended.

Regarding claim 30, Sutton does not teach that conductors to the coils 26, 28 pass through the flexible rear layer 36. Instead, the conductors 74, 75, and wiring 40 are attached to

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the coils 26 and 28 from an edge of each respective layer 78, 80 of the coil elements. See especially FIGs 6 and 7 of Sutton, showing drive coils 26 with conductors 75 in a first layer 78 and sense coils 28 with conductors 74 in a second layer 80. These conductors 74 and 75 lead to an edge of each respective layer 78, 80. Also see wiring 40 of FIGs 2, and 3 extending from respective edges of layers of coil elements 26, 28. Therefore, Sutton lacks conductors to the coils passing through the flexible rear layer 36. In fact, Sutton appears to teach away from conductors passing through the flexible rear layer by specifically describing (col. 7, lines 47-55) and by specifically showing in FIGs 6 and 7 that the conductors 74, 75 are formed in the same layer as their respective coils. The present amendment moves this limitation from dependent claim 30 to its base claim 28. Accordingly, a 35 USC 102 or 103 rejection of claim 28 as amended is not supported by Sutton, and withdrawal of this rejection is respectfully requested.

Request for withdrawal of finality of office action of 10-27-2006

The office action of 10-27-2006 is incomplete in that some of the rejections are unclear. For example, no grounds are provided for the rejection of claims 24 or 25 under 35 USC 102(b). The elements of these two claims are not even mentioned in the office action.

No grounds are provided for the rejection of claim 29 under 35 USC 103(a). Applicant does not see a teaching in Sutton that the second electrical coil 28 surrounds the first electrical coil 26, and no motivation or suggestion for this modification is provided in the office action.

No grounds are provided for the rejection of claim 30 under 35 USC 103(a). Applicant does not see a teaching in Sutton that a conductor 40 to a coil 26 and/or 28 passes through the flexible rear layer 36. See arguments regarding this feature under 35 USC 103 rejections above. No motivation or suggestion for this modification is provided in the office action.

For the above reasons of incompleteness, Applicant's respectfully request withdrawal of finality of the office action of 10/27/2006.

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Conclusion

Arguments are presented to the rejections of 10-27-2006 as best understood by Applicant. However, Applicant requests withdrawal of the finality of the office action of 10-27-2006, reconsideration of the application in view of the present amendments and remarks, and full clarification of any further rejections that the Examiner may issue in any subsequent Office Communication.

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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By: 
John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830